DEPARTMENT OF HOMELAND SECURITY
U.S. Customs and Border Protection

OMB APPROVAL NO. 1651-0098
EXPIRES: 08-31-2023

NORTH AMERICAN FREE TRADE AGREEMENT MOTOR VEHICLE AVERAGING ELECTION

19 CFR 181

Producer's Fiscal Year

Producer's Name and Address	Telephone Number	PERIOD WITH RESPECT TO WHICH THE ELECTION IS MADE	
Name (Last, First, MI): _____ _____ __		Starting Date	Ending Date
Street: _____	Fax Number	Name and Location of the Plant(s) (If category (C), please identify every location at which the vehicles are produced)	
City: _____ State: _____ Zip: _____			

MOTOR VEHICLE AVERAGING CATEGORY

Category chosen by the Producer	Estimated Regional Value Content of the Category of Motor Vehicle
☐ (a) ☐ (b) ☐ (c)	

VEHICLES TO BE AVERAGED

Model Name	Model Line (Applies only to category (a) and (c))	Class of Motor Vehicle	Tariff Classification

BASIS OF REGIONAL VALUE CONTENT CALCULATION

Basis of the calculation in determining the estimated regional value content of motor vehicles stated in subsection II (9). State the basis either (a) or (b) by placing an "X" in the appropriate space. ☐ **(a)** Over all vehicles produced during the fiscal year or the period selected by the producer. ☐ **(b)** Over those vehicles to be exported to the territory of one or more of the NAFTA countries that are produced during the fiscal year or the period selected by the producer. **NOTE:** If option (b), please identify the NAFTA country(ies) to which the vehicles are exported.

AUTHORIZATION

Officer's Name (Last, First, MI)	Title	Signature	Date

PAPERWORK REDUCTION ACT STATEMENT: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0098. The estimated average time to complete this application is 60 minutes. Obligation to respond is required to obtain benefits. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 90 K Street, NE., Washington DC 20229.

PURPOSE

The purpose of this Motor Vehicle Averaging Election (hereby referred to as "Election of Average") is to provide the form to be used by a producer of light-duty vehicles or a producer of heavy duty vehicles in filing an Election to Average in accordance with 19 CFR Part 181 and the appendix – Rules of Origin Regulations (hereinafter referred to as "The Regulations") section 11. An Election to Average shall be completed in respect of each category set out in the Regulation that is chosen by the producer of a motor vehicle referred to in section 13 of the Regulations (Special Regional Value content Requirements) in filing an election pursuant to subsection 13 (4).

ADDITIONAL INFORMATION

For additional information regarding the completion of the Election to Average, please refer to the NAFTA or the Regulations.

CONFIDENTIALITY

U.S. Customs and Border Protection (CBP) shall , in accordance with Article 507 of the NAFTA, protect the confidentiality of all confidential business information contained in the Election to Average.

ORIGIN VERIFICATION

CBP may , in accordance with the Regulations, conduct a verification of any or all of the information contained in the completed election to Average and may request that the producer submit a cost submission reflecting the actual costs incurred in the production of the motor vehicles for which the Election to Average has been made.

DEFINITIONS

The following definitions are relevant for purposes of this election. Class of motor vehicles means any one of the following categories of motor vehicles:

a. Motor vehicles of any of subheading No. 870.20, tariff item Nos. 8702.10.30, and 8702.90.30, subheading Nos. 8704.10, 8704.22, 8704.23, 8704.32 and 8704.90 and heading nos. 8705 and 8706;

b. motor vehicles of any of subheading Nos. 8701.10 and 8701.30 through 8701.90;

c. motor vehicles of any of tariff item Nos. 870210.60 and 8702.90.60 and subheading Nos. 8704.21 and 8704.31; and

d. motor vehicles of any of subheading Nos. 8703.21 through 8703.90.

NOTE: For details on the above tariff classifications concerning the specific Rule of Origin, please refer to Annex 401 of the NAFTA. For description of goods in the above tariff classifications, please refer to the HTSUS.

Heavy-duty vehicle means a motor vehicle of any of heading No. 8701, tariff items Nos. 8702.10/30 and 8702.90.30, subheading Nos. 8704.22, 8704.23, 8704.32 and 8704.90 and heading Nos. 8705 and 8706.

Light-duty vehicle means a motor vehicle of any of tariff item Nos. 8702.10.60 and 8702.90.60 and subheading Nos. 8703.21 though 8703.90, 8704.21 and 8704.31.

Model line means a group of motor vehicles having the same platform or model name.

Model name means the words, letter, number of similar designation assigned to a motor vehicle by a marketing division of a motor vehicle assembler.

a. To differentiate the motor vehicle from other motor vehicles that use the same platform deign;

b. To associate the motor vehicle with other motor vehicles that us e different platform designs, or

c. To denote a platform design.

Platform means the primary load-bearing structural assembly of a motor vehicle that determines the basic size of the motor vehicle, and is the structural base that supports the driveline and links the suspension components of the motor vehicle for various types of frames, such as the body-on-frame or space-frame, and monocoques.

Tariff classification refers to the tariff classification, to the 8th digit level, based on the Harmonized System of tariff classification and statistical coding.

COMPLETION OF THE MOTOR VEHICLE AVERAGING ELECTION

1. State the producer's fiscal year.
2. State the full legal name and address (including country).
3. State the producer's telephone and facsimile number.
4. State the starting and ending date of the election period.
5. Identify the category of motor vehicle referred to in subsection 11(5) or the Regulations for which the producer is making the election to average. State which category [(a), (b), or (c)] is applicable. The three categories are described as follows:
   a. The same model line of motor vehicles in the same class of motor vehicles produced in the same plant in the territory of a NAFTA country;
   b. The same class of motor vehicles produced in the same plaint in the territory of a NAFTA country; and
   c. The same model line of motor vehicles produced in the territory of a NAFTA country.

State the estimated regional value content for the category of motor vehicle selected.

6. Provide the name and location of the producer's plant.
7. State the model name, model line, class of motor vehicle tariff classification of the motor vehicles in the category identified in 5. Where category (a) or (c) is elected by the producer, please indicate whether the model line election is based on (I) a group of motor vehicles having he same platform, or (II) a group of motor vehicles having the same model name. Please provide details as to the platform or model name as elected.
8. State the basis on which the estimated regional value content was calculated by indicating (a) or (b) , whichever is applicable. The producer may calculate the estimated regional value content on the basis of either:
   a. All motor vehicles in the category identified in 5 that are produced during the fiscal year, or
   b. Only those motor vehicles in the category identified in 5 that are exported to the territory of one or more of the NAFTA countries and that are produced during the fiscal year or the period selected by the producer.

If the estimated regional value content is calculated on the basis of only those motors vehicles in the category identified in 5 that are exported to the territory of one or more of the NAFTA countries, indicate the NAFTA country (ies) to which the goods are exported for the purpose of the Election to Average.

FILING OF THE MOTOR VEHICLE AVERAGING ELECTION

The election to average must be submitted to: U.S. Customs and Border Protection,

Office of International Trade, Regulatory Audit, 1717 H Street, NW, 6nd Floor, Mail Stop 1141, Washington, DC 20229-1141

Note 1: Pursuant to subsection 11(8) of the regulations the election may not be rescinded or modified with respect to the category or basis of calculation.

Note 2: Where the producer of a motor vehicle has calculated the regional value content to the motor vehicle on the basis of estimated costs, including standard cost, budgeted forecasts or other similar estimating procedures, before or during the producer's fiscal year, the producer shall conduct an analysis at the end of the producer's fiscal year of the actual costs incurred over the period in respect of the production of the motor vehicle to ensure the regional value content requirement on the basis of actual costs is satisfied. If the regional value content on the basis of actions costs is not satisfied, the producer of the motor vehicle must immediately inform any person to who the producer has provide a Certificate of Origin for the motor vehicle, or a written statement that the motor vehicle is an originating good, that the motor vehicle is a non-originating good.